

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

JORDAN L. RAUCH,

Plaintiff,

v.

CIVIL ACTION NO. 3:20-0664

WAYNE COUNTY DEPARTMENT OF
HEALTH AND HUMAN RESOURCES, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that Plaintiff's Complaint (ECF No. 2) be dismissed, with prejudice, and removed from the docket of the Court and, in light of the recommended dismissal, Plaintiff's Application to Proceed Without Prepayment of Fees and Costs be denied as moot. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **ORDERS** that Plaintiff's Complaint (ECF No. 2) be **DISMISSED**, with prejudice, and **REMOVED** from the docket of the Court, consistent with the findings and recommendations. In light of the dismissal, Plaintiff's Application to Proceed Without Prepayment of Fees and Costs is **DENIED** as moot.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: December 1, 2020



ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE